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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,231	11/14/2003	David M. Callaghan	03AB157/ALBRP335US	2471
7590 Susan M. Donahue Rockwell Automation, 704-P IP Department 1201 South 2nd Street Milwaukee, WI 53204			EXAMINER JEAN GILLES, JUDE	
			ART UNIT 2143	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE 3 MONTHS			MAIL DATE 03/22/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/714,231	Applicant(s) CALLAGHAN, DAVID M.	
	Examiner Jude J. Jean-Gilles	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>06/04/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is responsive to communication filed on 11/14/2003.

Information Disclosure Statement

1. The references listed on the Information Disclosure Statement submitted on 06/04/2004 have been considered by the examiner (see attached PTO-1449A).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-27** are rejected under 35 U.S.C. 102(e) as being anticipated by Deutsch et al (Deutsch), Patent No. 6,631,403 B1.

Regarding **claim 1-27**, Deutsch discloses:

1. A system for interacting with automation devices, comprising:
 - a plurality of automation devices communicatively coupled via a network (column 7, lines 12-14; column 9, lines 20-31; fig. 3, item 280); and
 - an interface connected to the network including an interactive program and an execution engine for executing the program, wherein the interactive program and the execution engine are executed from within a browser and interact with automation

device data (column 12, lines 44-51).

2. The system of claim 1, further comprising a data storage medium for centrally storing data relating to the plurality of automation devices (column 7, lines 18-30).

3. The system of claim 2, wherein the browser retrieves data utilizing the interactive program from the data storage medium (column 7, lines 12-30).

4. The system of claim 2, wherein the browser writes data utilizing the interactive program to the data storage medium (column 18, lines 29-62).

5. The system of claim 1, the interactive program comprising bindings that bind program variables to device data such that a change in device data is immediately reflected in the program variable bound thereto (column 3, lines 37-51).

6. The system of claim 5, wherein the interactive program comprises functions that operate on program variables to produce information desired by a user (column 3, lines 37-51).

7. The system of claim 6, wherein the interactive program comprises a presentation component that produces a multimedia presentation that is displayed on a display device (column 6, lines 1-19; column 7, lines 51-65).

8. The system of claim 7, wherein the multimedia presentation provides data with respect to one or more automation devices updates the data in real-time (column 6, lines 1-19; column 7, lines 51-65).

9. The system of claim 7 wherein the multimedia presentation provides a plurality mechanisms for transmitting data to one or more automation devices (column 6, lines 1-19; column 7, lines 51-65).

10. An human machine interface apparatus for operating in an industrial facility comprising: a data store (column 7, lines 18-30); a plurality of automation devices communicatively coupled to the data store via a network, wherein the devices store data in the data store (column 7, lines 12-14; column 9, lines 20-31; fig. 3, item 280); and a browser accessing data concerning one or more automation devices over the network and presenting such data to a user in a rich manner incorporating a multitude of multimedia effects (column 12, lines 44-51).

11. The apparatus of claim 10, the multimedia effects being incorporated in the browser via an embedded interactive program (column 6, lines 1-19; column 7, lines 51-65).

12. The apparatus of claim 11, wherein the interactive program is a flash program. *Note that using a flash program as an interactive program within a browser is inherent.*

13. The apparatus of claim 11, wherein the interactive program is executed by a plugin associated with the browser (column 21, lines 62-67).

14. The apparatus of claim 13, wherein the plugin is a flash player (column 21, lines 62-67; *Note that using a flash program as an interactive program within a browser is inherent*).

15. The apparatus of claim 10, wherein one of the multimedia effects is an interactive graph (column 28, lines 30-42).

16. The apparatus of claim 10, wherein one of the effects is a depiction of an automation device with regions highlighted in real-time upon the occurrence of an error to indicate the device region associated with the error (column 22, lines 35-67).

17. A method for interacting with automation devices comprising: specifying an interactive program which binds program variables to automation device data and specifies a multimedia presentation format for interaction by a user (column 3, lines 37-51); embedding the interactive program into the browser; and utilizing the browser and an associated execution engine to execute the interactive program (column 12, lines 44-51).

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18. The method of claim 17, wherein the device data is stored in a centralized data store accessible via a network (column 7, lines 17-37).

19. The method of claim 17, wherein the interactive program is a flash program. *Note that using a flash program as an interactive program within a browser is inherent.*

20. The method of claim 19, wherein the execution engine is a flash player. *Note that using a flash program as an execution engine within a browser is inherent.*

21. An article of manufacturing comprising a computer usable medium having computer readable instructions stored thereon to perform the method of claim 17 (fig. 1).

22. A method for interacting with automation device data comprising: receiving a request for information from within a browser application (column 10, lines 47-61); retrieving the requested information from a data source utilizing an execution engine associated with the browser application; and updating the browser with the requested information (column 12, lines 44-51).

23. The method of claim 22, wherein the request for information is generated by positioning a cursor over an image. *Note that using positioned cursor over an image within a browser is inherent to the art.*

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24. The method of claim 22, wherein the data source is a web page (column 5, lines 18-30; not that creating a web page over the Internet network is inherent to the art).

25. The method of claim 22, wherein information is retrieved from a device controller (column 12, lines 44-51).

26. The method of claim 25, wherein the information is control data (column 7, lines 4-17).

27. An article of manufacturing comprising a computer usable medium having computer readable instructions stored thereon to perform the method of claim 25 (column 12, lines 44-51).

Conclusion

4. Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914.

The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3719.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Jude Jean-Gilles
Patent Examiner
Art Unit 2143


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

JJG

March 18, 2007